

EXHIBIT 4

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

GOOGLE LLC,

Plaintiff and Counter-defendant,

v.

SONOS, INC.,

Defendant and Counter-claimant.

Case No. 3:20-cv-06754-WHA

Related to Case No. 3:21-cv-07559-WHA

**OPENING EXPERT REPORT OF
DR. KEVIN C. ALMEROOTH**

1 [1.6]/[9.3] based on the first request, i) causing creation of the first *zone scene*,
2 ii) causing an indication of the first *zone scene* to be transmitted to the first zone
3 player, and iii) causing storage of the first *zone scene*;

4 [1.7]/[9.4] receiving a second request to create a second *zone scene* comprising
5 a second predefined grouping of zone players including at least the first zone player
6 and a third zone player that are to be configured for synchronous playback of media
7 when the second *zone scene* is invoked, wherein the third zone player is different
8 than the second zone player;

9 [1.8]/[9.5] based on the second request, i) causing creation of the second *zone*
10 *scene*, ii) causing an indication of the second *zone scene* to be transmitted to the
11 first zone player, and iii) causing storage of the second *zone scene*;

12 [1.9]/[9.6] displaying a representation of the first *zone scene* and a
13 representation of the second *zone scene*; and

14 [1.10]/[9.7] while displaying the representation of the first *zone scene* and the
15 representation of the second *zone scene*, receiving a third request to invoke the first
16 *zone scene*; ...

17 372. As such, the question of whether a Google speaker group is a “zone scene” is a
18 threshold issue for infringement of the Asserted Claims of the ’966 Patent, and I address this
19 threshold issue before turning to my limitation-by-limitation analysis.

20 373. As I explained above, the Court has already found that Google’s “speaker group”
21 functionality satisfies the “zone scene” limitations of the ’885 Patent. D.I. 309 at 7-9. For the
22 same reasons, Google’s “speaker group” functionality also satisfies the “zone scene” limitations
23 of the ’966 Patent.

24 374. Indeed, it is undisputed that Google’s “speaker group” functionality allows for the
25 creation of a previously-saved, customized grouping of Accused Google Players (which are “zone
26 players” as discussed below) that can later be invoked for synchronous playback. *See* D.I. 309 at
27 9 (the Court stating that “Google admits that its accused products are readily capable of allowing
28 users to pre-save groups of speakers and give them thematic names”).

375. For instance, Google’s website includes a help page for the Accused Google Players
entitled “Create and manage speaker groups,” which explains that a Google speaker group allows
a user to “[g]roup any combination of Google Nest or Google Home speakers and displays and
Chromecast devices together for synchronous music throughout the home” and provides

1 817. To help assist in my testimony at trial, I have prepared a number of demonstratives
2 that are attached hereto as **Exhibit Q**. These demonstratives are exemplary and I reserve the right
3 to create additional demonstratives and/or to modify the demonstratives in **Exhibit Q** based on the
4 material in this report. For example, I reserve the right to create additional demonstratives and/or
5 to modify the demonstratives in **Exhibit Q** based on the testing screenshots I included in this report
6 as well as the evidence cited in this report. I also reserve the right to rely on the demonstratives
7 that were attached as Exhibit H to my Opening report regarding Asserted Claim 1 of the '885
8 Patent dated June 22, 2022.

9 818. I have also reviewed Sonos's Technology Tutorial that provides an overview of the
10 '885 Patent, which I understand was submitted to the court in February 2022. I incorporate by
11 reference herein Sonos's Technology Tutorial and expressly reserve the right to use the
12 Technology Tutorial in whole or in part as a demonstrative to assist in my testimony.

13 **XX. RESERVATION OF RIGHT**

14 819. I reserve the right to further expound on my opinions set forth herein in subsequent
15 declarations, reports, and/or at trial.

16
17
18 Dated: November 30, 2022

By: Kevin C. Almeroth
Kevin C. Almeroth